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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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MAR 22 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Implementation of Section 17 of)
the Cable Television Consumer)
Protection and Competition)
Act of 1992)

ET Docket No. 93-7

Compatibility Between Cable)
Systems and Consumer)
Electronics Equipment)

TO: The Commission

COMMENTS OF THE
NATIONAL ASSOCIATION OF TELECOMMUNICATIONS
OFFICERS AND ADVISORS, THE NATIONAL LEAGUE OF
CITIES, THE UNITED STATES CONFERENCE OF MAYORS,
AND THE NATIONAL ASSOCIATION OF COUNTIES

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March 22, 1993

SUMMARY

The Commission's overriding objective in preparing its report and adopting regulations pursuant to Section 17 should be to ensure maximum compatibility between consumer electronics equipment and a cable system. The Commission must ensure that technological advances do not render its regulations obsolete by periodically reviewing and modifying them and by periodically consulting with a committee composed of representatives of franchising authorities and the cable and consumer electronics industries ("Committee").

Among other things, the Commission should: (1) prohibit cable operators from taking actions to secure signals that are incompatible with a subscriber's consumer electronics equipment if such actions are not necessary to protect the signal; (2) make converter boxes and cable signals more compatible with consumer electronics equipment; (3) ensure that video cassette recorders and televisions have certain minimum capabilities in order to be considered "cable ready"; and (4) explore the extent to which standardization of certain cable and consumer electronics equipment might foster Congress' goals in implementing Section 624A.

The Committee should identify other issues the Commission should consider.

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The National Association of Telecommunications
Officers and Advisors, the National League of Cities,
the United States Conference of Mayors, and the National
Association of Counties (collectively, the "Local
Governments")¹ hereby submit these comments in the
above-captioned proceeding.

¹ The National Association of Telecommunications
Officers and Advisors represents local franchising
authorities in more than 4,000 local franchise
jurisdictions, which collectively regulate cable
television systems that serve an estimated 40 million
cable subscribers. The National League of Cities
represents more than 16,000 cities and towns across the
nation. The U.S. Conference of Mayors represents the
more than 950 cities with populations exceeding 30,000
residents. The National Association of Counties
represents the approximately 2,000 counties across the
nation.

I. INTRODUCTION

Section 17 of the Cable Television Consumer Protection and Competition Act of 1992 ("1992 Cable Act")² requires the Commission to submit no later than October 1993 a report to Congress on means of assuring that cable subscribers enjoy the full benefits and functions of their television receivers and video cassette recorders ("VCRs") when receiving programming from cable systems. Within 180 days after submitting such report to Congress, the Commission is required to promulgate regulations ensuring compatibility between consumer electronics equipment and cable systems, while taking into account the costs and benefits to consumers of such requirements, and the need for cable operators to protect against theft of service.

The Commission's overriding objective in preparing its report and adopting regulations implementing Section 17 should be to ensure maximum compatibility between consumer electronics equipment (e.g., televisions, VCRs and remote control devices) and a cable system.³ The Commission must ensure that

² Pub. L. No. 102-385, 106 Stat. 1460 (1992). Section 17 is codified at Section 624A of the Communications Act of 1934. 47 U.S.C. § 544A.

³ In addition to televisions, VCRs and remote control
[Footnote continued on next page]

technological advances do not render its regulations obsolete by periodically reviewing and modifying them and by consulting with representatives of the cable and consumer electronics industries on a periodic basis -- as required by Sections 624A(b)(1) and (d) of the 1992 Cable Act.

In addition to periodic review of the regulations and consultations with industry representatives, Congress intended that the Commission consult with local franchising authorities.⁴ Local franchising authorities represent the governmental units that are the closest to consumers and with great frequency receive their complaints about the incompatibility of cable systems with consumer electronics equipment. Local Governments are committed to exploring with industry representatives the options available to make cable systems compatible with consumer electronics equipment to the fullest extent mandated by Section 624A. Local Governments urge

[Footnote continued from previous page]
devices, the Commission also should consider how to make cable systems more compatible with other consumer electronics equipment, such as, but not limited to, stereos, laser disc players and captioning equipment.

⁴ Representative Edward Markey, sponsor of the House version of the cable bill ultimately enacted by Congress, stated that Congress "fully expects the Commission to consult representatives of franchising authorities and consumers in drafting the congressional report and regulations" pursuant to Section 624A. 131 Cong. Rec. H6556 (daily ed. July 23, 1992) (statement of Rep. Markey).

the Commission to consult on a regular and ongoing basis with a committee composed of representatives of franchising authorities and the cable and consumer electronics equipment industries ("Committee") regarding these compatibility issues.⁵

Local Governments recommend below some of the issues the Committee should explore.

II. DISCUSSION

A. The Commission Must Make Cable Signals and Cable Equipment More Compatible with Consumer Electronics Equipment

The Committee should determine which actions taken by cable operators are the minimum necessary to protect against theft of service and which actions are not crucial to protect against theft of service and which tend to make consumer electronics equipment incompatible with the cable system so that a subscriber has to purchase operator-provided equipment to receive a

⁵ Local Governments note that a joint cable/consumer equipment industry committee has been established by the National Cable Television Association ("NCTA") and the Electronics Industry Association ("EIA") to investigate means for assuring compatibility between cable systems and consumer electronics equipment, Notice of Inquiry at ¶ 11 n.15. Local Governments strongly urge the Commission to expand that effort by encouraging the NCTA and EIA to bring franchising authorities into those discussions, or by establishing a committee that represents the interests of all relevant parties, including representatives of franchising authorities and the cable and consumer electronics industries.

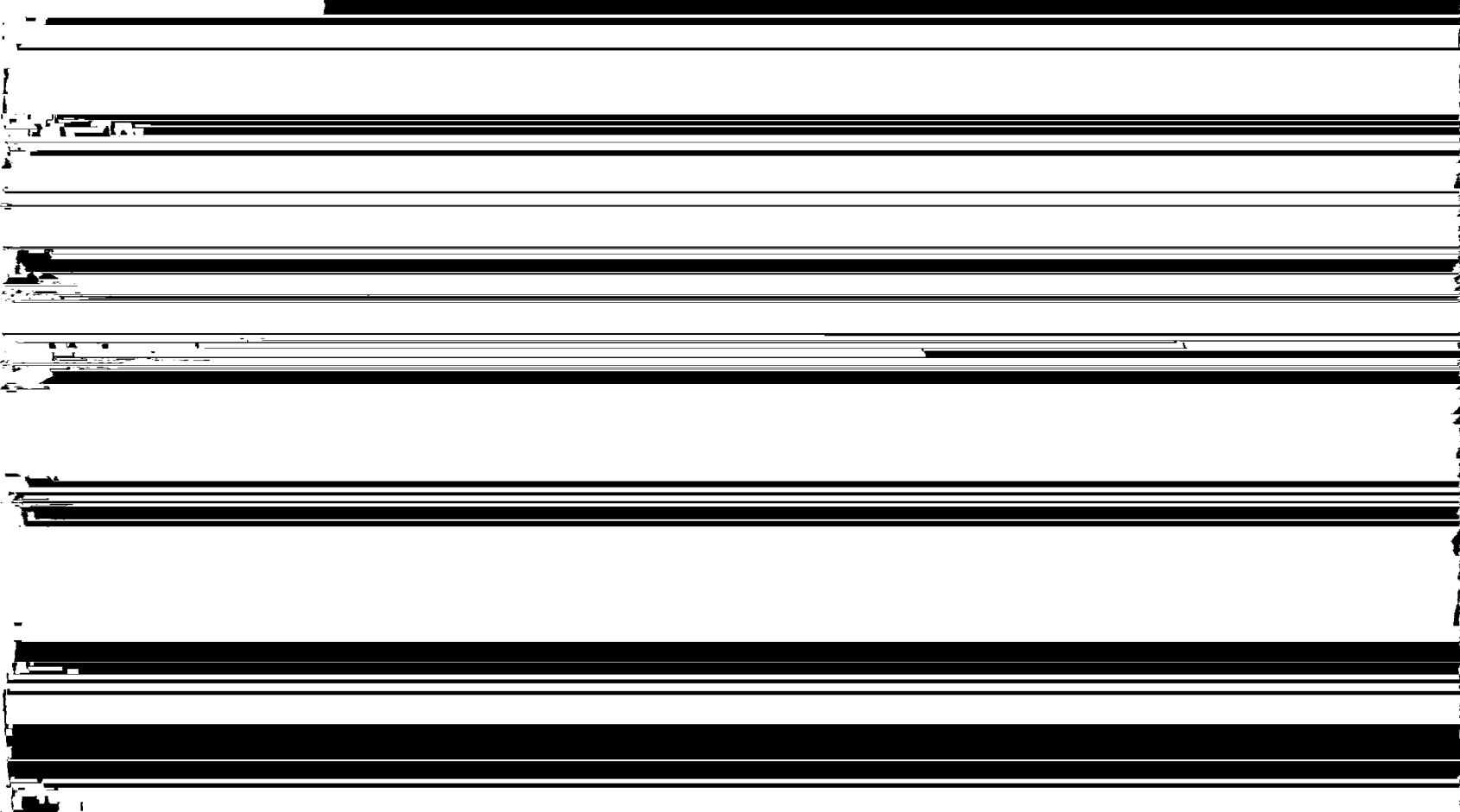
quality cable signal. To the extent actions taken and designs developed by a cable operator are not absolutely necessary and crucial to protect the cable operator's signal from theft, such actions must be prohibited pursuant to Section 624A if they are incompatible with a cable subscriber's equipment.

For example, some cable operators send electronic impulses to operator-supplied converter boxes which literally instruct the converter boxes not to function in response to a signal from commercially-available remote control devices. Such actions may have no

purpose but to encourage the sale of operator

Committee should consider the extent to which cable operators could use other methods of securing signals -- e.g., interdiction or traps -- that eliminate the need for a converter box.

The vast majority of cable subscribers are law-abiding; they should not have to rent converter boxes to unscramble a signal if it is feasible for a cable operator to use alternative means to protect against theft of service by a few bad actors. The Committee should determine whether there are alternative ways to protect against theft of service other than securing signals. For example, the Committee should determine whether there are feasible ways to detect theft of service, such as monitoring where cable signals are received. To the extent such methods are feasible



converter boxes that can transmit more than one signal at a time.⁷

**B. The Commission Must Adopt Standards
Defining the "Cable Ready" Features
of Televisions and VCRs**

As described below, VCRs and televisions must have certain minimum capabilities in order to be considered "cable ready."⁸ The Committee should recommend the exact equipment or features that should be included in the concept of "cable ready."

At a minimum, however, a television or VCR must be capable of receiving the number of channels provided by the cable systems of the very near future, and of accommodating to future increases in the number of channels cable systems may provide. A 1 GHz cable system is now technically feasible; such a system can provide up to 150 NTSC standard channels of programming. A television or VCR should be able to receive at least

⁷ However, the benefits of such converter boxes could be lost unless televisions and VCRs that are labelled "cable ready" have high-level tuners (e.g., double-conversion tuners) that are capable of receiving multiple cable signals without a degradation in picture quality.

⁸ In addition to cable systems, the Committee should consider how to make television receivers and VCRs compatible with other multichannel video distribution systems, such as video dialtone service distributors, direct broadcast satellite services and similar technologies.

150 such channels in order to be marketed as "cable ready."

In addition, television receivers and VCRs must include multiple input/output ports for connecting to multichannel video programming distribution systems, along with other equipment a cable subscriber may have (e.g., stereo systems, computer games and laser disc players). A number of cable systems provide their signals on two or more cables. Hence, a consumer may not be able to enjoy the benefits of a so-called "cable ready" television or VCR if it is incapable of inputting signals from multiple sources.

In addition to these minimum requirements, the Committee should consider standards or incentives to change the manner in which "cable ready" television receivers are manufactured in order to maximize the compatibility of such receivers with cable systems and other consumer electronics equipment, and to enable consumers to modify their televisions, rather than purchase more advanced ones, as cable and consumer electronics technology advances. A television should become more like a personal computer, which consumers may modify to meet their changing needs by adding on equipment (such as additional input/output ports) or

Among other things, the Committee should explore the technical and financial feasibility of requiring that televisions designated as "cable ready" permit cable subscribers to increase the number of input/output ports. The Committee also should consider the feasibility of requiring that "cable ready" televisions

technologically feasible and does not interfere with the necessity of a cable operator to protect its signal, the Commission should adopt such standards.

One area in which standardization might be beneficial is in promoting the commercial availability of remote control devices.⁹ In addition to obligating a cable operator to inform cable subscribers of remote control devices that may be compatible with the cable system -- as required by Section 624A(c)(2)(D) -- the Commission might consider national standards for remote control device technology. The development of national standards may make it possible for a subscriber to use a single remote control device, rather than two or three such devices, to operate his or her converter, television and VCR.¹⁰

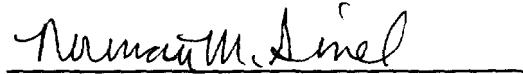
⁹ The Commission also should consider national standards for, among other things, encoding technologies, input/output port configurations, and digital channel compression. National standards for these technologies should promote the commercial availability of authorized converter boxes, decoders, and the circuit cards that might be used in the television receiver of the future.

¹⁰ Similarly, Local Governments believe that the Commission should adopt national "shielding" requirements for "cable ready" consumer equipment to protect against signal leakage and direct pick-up interference. Such "shielding" standards also should be adopted for ancillary equipment a subscriber may purchase, such as connectors or wiring external to a television or VCR.

III. CONCLUSION

The Commission's primary goal in this proceeding should be to maximize the compatibility of a cable subscriber's consumer electronics equipment with the subscriber's cable system. Local Governments urge to the Commission to consult with a committee composed of representatives of franchising authorities and the cable and consumer electronic industries to determine how to achieve such compatibility. Outlined above are just some of the avenues the Committee and Commission should explore in determining how to best ensure such compatibility.

Respectfully Submitted,



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